

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DOTTIE BROWN and BONNIE JONES as
Co-Personal Representatives of the Estate of
BOBBI JO LONG, Deceased, and
TRACY LEE BROWN as parent and guardian of
ASHLEE JO BROWN, a minor,

Plaintiffs,

vs.

No. 09 CV 321 MCA/WDS

BOARD OF COUNTY COMMISSIONERS OF THE
COUNTY OF SAN JUAN, a political subdivision of the
STATE OF NEW MEXICO, and its Subsidiaries, the
SAN JUAN COUNTY SHERIFF'S DEPARTMENT and
the SAN JUAN COUNT DETENTION CENTER;
JAMES FROST, individually and in his official capacity
with the San Juan County Sheriff's Department; and
JOHN/JANE DOES 1-10, individually and in their official
capacities as Employees and/or Agents of the San Juan
County Detention Center,

Defendants.

ORDER APPROVING SETTLEMENT

THIS MATTER having come before the Court upon motion by the parties to approve a settlement of Plaintiffs' claims, and the Court having reviewed the report by the Guardian *ad Litem* Dawn Chavez Branch dated November 15, 2010, having heard testimony from Plaintiff Dottie Brown, Co-Personal Representative of the Estate of Bobbi Jo Long, deceased, and the statements of counsel at a hearing on November 16, 2010, and the Court and being sufficiently advised in the premises, FINDS that the Court has jurisdiction over the parties and the subject matter of this suit; and that the settlement as set forth in the Guardian *ad Litem*'s Report is in the best interests of the minor statutory beneficiary, Ashlee Jo Brown, and that it is just and equitable under all the circumstances brought before the Court for the wrongful death and other damages sustained by the

Plaintiffs, and that the settlement should be approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiffs have and recover the monetary amount set forth in the Guardian *ad Litem*'s Report dated November 15, 2010 and the Release and Settlement Agreement executed by Plaintiffs on November 16, 17 and 18, 2010. The Personal Representatives are authorized to disburse payment of attorney fees, gross receipts tax and costs as indicated in the fee agreement between Plaintiffs and their counsel as referenced in the Guardian *ad Litem*'s Report, with the balance of the settlement proceeds to be paid into a beneficiary trust being set up on behalf of Ashlee Jo Brown, the lone statutory beneficiary of the wrongful death estate of her mother, Bobbi Jo Long, deceased, in which Ashlee will be permitted to serve as her own trustee at the age of 25. Ashlee's grandmother, Dottie Brown, will be designated to act as trustee, with Ashlee's father Tracy Lee Brown to act as trustee in the event Dottie Brown is no longer able to serve, until Ashlee reaches the age of 25. Duplicate statements from the trust will be provided to both of Ashlee's grandmothers, Dottie Brown and Bonnie Jones, and to her father Tracy Lee Brown.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the amount as set forth in the Guardian *ad Litem*'s Report dated November 15, 2010 and the Release and Settlement Agreement executed by Plaintiffs on November 16, 17 and 18, 2010, shall be in full, final and complete and absolute settlement and satisfaction of any and all claims which have or could have been asserted by Plaintiffs and Ashlee Jo Brown against Defendants as a result of the incident occurring on September 11 and 12, 2008 in San Juan County, New Mexico.



THE HONORABLE W. DANIEL SCHNEIDER
UNITED STATES MAGISTRATE JUDGE

SUBMITTED AND APPROVED BY:

GUEBERT BRUCKNER P.C.

By /s/ Don Bruckner
Terry R. Guebert
Don Bruckner
P.O. Box 93880
Albuquerque, NM 87199-3880
(505) 823-2300
Attorneys for Plaintiffs

Electronically Approved December 21, 2010
Dawn Chavez Branch
P.O. Box 70040
Albuquerque, New Mexico 87197
(505)350-9056
Guardian *ad Litem*

BRENNAN & SULLIVAN, P.A.

By Electronically Approved December 22, 2010
James P. Sullivan, Esq.
Christina L.G. Brennan, Esq.
128 East DeVargas
Santa Fe, New Mexico 87501
(505) 995-8514
Attorneys for Defendant James Frost

KLECAN & CHILDRESS

By *Electronically Approved December 23, 2010*

Ronald J. Childress, Esq.

6000 Uptown Blvd. NE Ste 305

Albuquerque, NM 87110-4148

(505) 883-8555

Attorney for Defendants Board of County Commissioners
of the County of San Juan, San Juan County Sheriff's
Department, and San Juan County Detention Center